

REMARKS

In response to the Official Communication mailed March 7, 2006, Applicants have amended the specification and claims.

By this Response, claims 27, 32, 42, and 43 are canceled without prejudice or disclaimer of the subject matter recited therein. Claims 17, 28, 31, 33, 35, 41, 49, and 56 have been amended. Claims 57-59 have been added. Upon entry of this amendment, claims 17-26, 28-31, 33-41, and 44-59 will be pending.

Specification

The Examiner has requested the patent number be inserted on page 15, line 8 of the specification. Applicants have amended the specification to insert the patent number in the first full paragraph of the page numbered 14, since Applicants believe that this paragraph, and not the one on the page numbered 15, requires a patent number. Should an additional correction be required to the specification on page 15, Applicants request that the Examiner indicate the location of such correction.

Claim Rejections: 35 U.S.C. § 112

Claims 27-30, 49, and 56 are rejected under 35 U.S.C. 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Since claim 27 has been cancelled, and since claim 28 has been amended to depend from amended claim 17, Applicants believe that the rejection to claims 27 to 30 are moot. In response to the rejection to claims 49 and 56, Applicants have amended claims 49 and 56 to depend from claim 41. Applicants therefore believe that the rejection to claims under 35 U.S.C. § 112 have been overcome.

Claim Rejections: 35 U.S.C. § 103(a)

Claims 17-26, 31-48, 50-55, and as best understood, claims 27-30, 49 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Thomas et al.(4,949,414) or Hand et al.(6,415,814) in view of Harker (6,687,937). The Examiner states that Thomas or Hand teach the use of a basic inflatable multichambered first layer, with various control means, and adapted to perform the desired conventional therapy functions. The Examiner also states that Harker teaches the use of a fiber network as a means to be positioned on an inflatable first layer and that it would have been obvious to one of ordinary skill in the art at the time of the invention to have used a fiber network

between Thomas et al's or Hand et al's first layers and a user, because Harker recognizes the desirability of using a similar fiber layer on a first layer in order to cool and ventilate a user.

Applicants have amended claim 17. As amended, claim 17 recites an apparatus configured to support at least a portion of a body thereon including an inflatable first layer including a plurality of support zones, a second layer positioned between the first layer and the portion of the body to be supported, the second layer including a spacing structure. An impermeable sheet is configured to be impermeable to fluids and moisture wherein the impermeable sheet is disposed between the first layer and the second layer. A cover is configured to couple to the impermeable sheet wherein the cover includes a first portion positioned adjacent the portion of the body to be supported and the first portion includes a moisture vapor permeable material. A controller is configured to control the pressure in each support zone of the plurality of support zones of the inflatable first layer, the inflatable first layer configured to provide a static support surface wherein a first support zone is configured to be generally pressurized at a first pressure and a second support zone is configured to be generally pressurized at a second pressure, the second pressure differing from the first pressure.

None of the references to Thomas, Hand, or Harker, either alone in combination teach or suggest Applicants' invention of claim 17. None of the references suggest or teach an impermeable sheet configured to be impermeable to fluids and moisture, wherein the impermeable sheet is disposed between the first layer and the second layer, and a cover configured to couple to the impermeable sheet wherein the cover includes a first portion positioned adjacent the portion of the body to be supported and the first portion includes a moisture vapor permeable material as recited in claim 17

In view of the amendment to claim 17, Applicants submit that claim 17 is not obvious under 35 U.S.C. § 103(a) in view of Thomas or Hand in view of Harker. Consequently, Applicants submit that claim 17 is allowable. In addition, since claims 18-26, 28-30, and 57 depend from claim 17, Applicants believe that these claims are allowable as well.

Applicants have amended claim 31. As amended claim 31 recites an apparatus configured to support at least a portion of a body thereon, the apparatus including an inflatable first layer including a plurality of support zones wherein the plurality of support zones includes a first support zone which generally corresponds to the chest region of the body, a second layer positioned between the first layer and the portion of the body to be supported, the second layer comprising a spacing structure. A controller is configured to control the pressure of each support zone of the first inflatable layer and further to control the pressure of the first support zone to provide a percussion therapy to the chest region of the body. A cover is positioned between the

second layer and the portion of the body to be supported. The cover includes a moisture vapor permeable material. An impermeable sheet is configured to be impermeable to fluids and moisture wherein the impermeable sheet is disposed between the first layer and the second layer.

None of the references to Thomas, Hand, or Harker, either alone in combination teach or suggest Applicants' invention of claim 31. None of the references suggest or teach a cover positioned between a second layer and a portion of the body to be supported, including a moisture vapor permeable material and an impermeable sheet configured to be impermeable to fluids and moisture wherein the impermeable sheet is disposed between a first layer and the second layer as recited in claim 31.

In view of the amendment to claim 31, Applicants submit that claim 31 is not obvious under 35 U.S.C. § 103(a) in view of Thomas or Hand in view of Harker. Consequently, Applicants submit that claim 31 is allowable. In addition, since claims 33 to 40, and 58 depend from claim 31, Applicants believe that these claims are allowable as well.

Applicants have amended claim 41. As amended claim 41 recites an apparatus configured to support at least a portion of a body thereon, the apparatus comprising a base portion including an inflatable first layer having a plurality of support zones, each zone having associated support characteristics. A pressure distribution layer is supported by at least a first zone of the base portion, the pressure distribution layer including a spacing structure configured to provide air passage therethrough and to distribute pressure from the body over a greater area of the first zone. A cover is positioned between the pressure distribution layer and the portion of the body to be supported, the cover being coupled to a first source of air to provide air circulation through the pressure distribution layer. The cover includes a first portion made from a moisture vapor permeable material. The first portion of the cover and the pressure distribution layer cooperate to provide cooling to the body. An impermeable sheet, configured to be impermeable to fluids and moisture, is disposed between the base portion and the pressure distribution layer. A controller is configured to control the pressure in each support zone of the plurality of support zones of the inflatable first layer.

None of the references to Thomas, Hand, or Harker, either alone in combination teach or suggest Applicants' invention of claim 41. None of the references suggest or teach a cover positioned between a pressure distribution layer and a portion of the body to be supported with the cover being coupled to a first source of air to provide air circulation through the pressure distribution layer, including a first portion made from a moisture vapor permeable material, an impermeable sheet configured to be impermeable to fluids and moisture with the impermeable

sheet being disposed between the base portion and the pressure distribution layer as recited in claim 41.

In view of the amendment to claim 41, Applicants submit that claim 31 is not obvious under 35 U.S.C. § 103(a) in view of Thomas or Hand in view of Harker. Consequently, Applicants submit that claim 41 is allowable. In addition, since claims 44 to 56 and 59 depend from claim 41, Applicants believe that these claims are allowable as well.

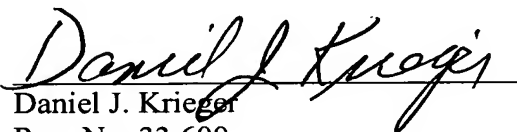
Final Remarks

In view of the foregoing, it is respectfully submitted that all of the solicited claims are in condition for allowance. Such action is respectfully requested.

If necessary, Applicants request that this response be considered a request for an extension of time appropriate for the response to be timely filed. Applicants request that any required fees needed beyond those submitted with this response be charged to the deposit account of Bose McKinney & Evans, Deposit Account No. 02-3223.

The Examiner is invited to contact the undersigned at the telephone number provided below should any question or comments arise during the course of consideration of this matter.

Respectfully submitted,


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